

IN THE MATTER OF  
THE APPLICATION OF  
MARYLAND C. GORE  
FOR A SPECIAL HEARING AND  
SPECIAL EXCEPTION ON PROPERTY  
LOCATED ON THE SW CORNER OF  
CHESAPEAKE & BOSLEY AVENUES  
(301 W. CHESAPEAKE AVENUE)  
9TH ELECTION DISTRICT  
4TH COUNCILMANIC DISTRICT

BEFORE  
COUNTY BOARD OF APPEALS  
OF  
BALTIMORE COUNTY  
CASE NO. 90-329-SPHX

# ORDER OF DISMISSAL

This matter comes to the Board as an appeal from an Order of the Zoning Commissioner dated April 16, 1990 dismissing without prejudice the Petition for Special Hearing and the Petition for Special Exception on the subject property located in the Ninth Election District of Baltimore County.

WHEREAS, the Board of Appeals is in receipt of a Letter of Dismissal filed September 12, 1990 (a copy of which is attached hereto and made a part hereof) from John C. Eidleman, Esquire, and Mary Helen McNeal, Esquire, Counsel for Appellants in the above-entitled case; and

WHEREAS, said Counsel requests that the appeal filed by them on behalf of the Appellants in this matter be dismissed and withdrawn as of September 12, 1990,

IT IS HEREBY ORDERED this 18th day of September, 1990 by the County Board of Appeals of Baltimore County that said appeal be and the same is hereby DISMISSED.

COUNTY BOARD OF APPEALS  
OF BALTIMORE COUNTY

William T. Hackett, Chairman  
Harry E. Buchheiser, Jr.  
Lynn B. Moreland

LEGAL AID BUREAU, INCORPORATED  
BALTIMORE COUNTY OFFICE  
28 WEST SUSQUEHANNA AVENUE  
SUITE 305  
TOWSON, MARYLAND 21204-5201  
(301) 298-6705

JAMES J. NOLAN, JR., PRESIDENT

September 11, 1990

William T. Hackett, Chairman  
County Board of Appeals for Baltimore County  
County Office Building Room 315  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

Re: Petition for Special Exception and Special Hearing  
SW Corner of Chesapeake and Bosley Avenues  
Case No. 90-329-SPHX

Dear Chairman Hackett:

On behalf of Paul Jedlicka, Gary Sparks, Glenn Wilson, and other homeless male residents who formerly resided at 301 W. Chesapeake Ave., we hereby dismiss the Petition for Special Hearing and Special Exception that was filed concerning this property.

Very truly yours,

John C. Eidleman  
Mary Helen McNeal

cc: Peter Max Zimmerman, Esquire  
Robert E. Baker, Esquire

RECEIVED  
COUNTY BOARD OF APPEALS  
SEP 12 AM 9:54

IN RE: PETITIONS FOR SPECIAL HEARING  
AND SPECIAL EXCEPTION  
SW cor. Chesapeake & Bosley Ave  
301 W. Chesapeake Avenue  
9th Election District  
4th Councilmanic District  
Maryland C. Gore  
Petitioner

BEFORE THE  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY  
CASE #90-329-SPHX

# ORDER OF DISMISSAL

The Petitioner herein requested a Petition for a Special Hearing for removal of the previous special exception for a nursing home and to determine that the proposed use would qualify as either a community care center, community building or group child care center (group adult care center); and a Petition for Special Exception for a Community Care Center or community building or group child care center (group adult care center).

WHEREAS, the Petitioner, Maryland C. Gore, failed to appear for the public hearing on March 2, 1990; and,

WHEREAS, various community associations and individuals appeared in opposition to the relief requested; and,

WHEREAS, representatives of the operation of the subject homeless shelter did appear and their interest in continuing the homeless shelter was presented Phyllis Friedman, Baltimore County People's Counsel; and,

WHEREAS, every other individual, group and organization that claimed to have an interest in this homeless shelter was afforded an opportunity to be heard and present evidence; and,

WHEREAS, by agreement of counsel, this matter was continued from March 2, 1990; and,

ORDER RECEIVED FOR FILING  
Date  
By

WHEREAS, by agreement of counsel, if no written request was received by the Zoning Commissioner on or before April 14, 1990, requesting that this matter be rescheduled for hearing, or that the matter be withdrawn, then the above captioned petitions were to be dismissed without prejudice after April 14, 1990; and,

WHEREAS, no such written request having been received on or before April 14, 1990,

IT IS THEREFORE ORDERED by the Zoning Commissioner for Baltimore County, this 16th day of April, 1990 that the Petition for Special Hearing and Petition for Special Exception in the above captioned matter be and the same is hereby DISMISSED without prejudice.

J. Robert Haines  
ZONING COMMISSIONER OF  
BALTIMORE COUNTY

JRH:mmn  
cc: Peoples Counsel

ORDER RECEIVED FOR FILING  
Date  
By

-2-

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353

J. Robert Haines  
Zoning Commissioner

May 16, 1990

Baltimore County Board of Appeals  
County Office Building, Room 315  
Towson, Maryland 21204

RE: Petition for Special Hearing and Special Exception  
SW Corner Chesapeake and Bosley Avenue  
(301 W. Chesapeake Avenue)  
9th Election District, 4th Councilmanic District  
MARYLAND C. GORE - Petitioner  
Case No. 90-329-SPHX

Dear Board:

Please be advised that an appeal of the above-referenced case was filed in this office on April 16, 1990 by John C. Eidleman Attorneys for residents of the Baltimore County Men's Shelter. All materials relative to the case are being forwarded herewith.

Please notify all parties to the case of the date and time of the appeal hearing when it has been scheduled. If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

J. Robert Haines  
Zoning Commissioner

JRH:cer

Enclosures

cc: Maryland C. Gore, Box 9692, Baldwin, MD 21013

Robert E. Baker, Esquire  
Suite 100, 21 W. Susquehanna Avenue, Towson, MD 21204

Linda Dorsey Walker  
1 Investment Place, Suite 800, Towson, MD 21204

John C. Eidleman  
Mary Helen McNeal  
Legal Aid Bureau, Inc.  
29 W. Susquehanna Avenue, Suite 305, Towson, MD 21204-5201

People's Counsel of Baltimore County  
Rm. 304, County Office Bldg., Towson, Md. 21204

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353

J. Robert Haines  
Zoning Commissioner

May 16, 1990

Baltimore County Board of Appeals  
County Office Building, Room 315  
Towson, Maryland 21204

RE: Petition for Special Hearing and Special Exception  
SW Corner Chesapeake and Bosley Avenue  
(301 W. Chesapeake Avenue)  
9th Election District, 4th Councilmanic District  
MARYLAND C. GORE - Petitioner  
Case No. 90-329-SPHX

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Very truly yours,

J. Robert Haines  
Zoning Commissioner

JRH:cer

Enclosures

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People's Counsel of Baltimore County  
Rm. 304, County Office Bldg., Towson, Md. 21204

# APPEAL

Petition for Special Hearing and Special Exception  
SW corner Chesapeake & Bosley Avenue  
(301 W. Chesapeake Avenue)  
9th Election District - 4th Councilmanic District  
MARYLAND C. GORE - Petitioner  
Case No. 90-329-SPHX

Petition for Special Hearing and Special Exception

Description of Property

Certificate of Posting

Certificate of Publication

Entry of Appearance of People's Counsel

Zoning Plans Advisory Committee Comments

Director of Planning & Zoning Comments (None submitted)

Petitioner's Exhibits: 1) Plat to accompany Petition (Not marked)

Protestant's Exhibits: 1) Letter of Opposition from Towson Neighborhood Association

Zoning Commissioner's Order dated April 16, 1990 (Dismissed)

Notice of Appeal received April 16, 1990 from John C. Eidleman and Mary Helen McNeal, Attorneys on behalf of the homeless

cc: Maryland C. Gore, Box 9692, Baldwin, MD 21013

Robert E. Baker, Esquire  
Suite 100, 21 W. Susquehanna Avenue, Towson, MD 21204

Linda Dorsey Walker  
1 Investment Place, Suite 800, Towson, MD 21204  
John C. Eidleman  
Mary Helen McNeal  
Legal Aid Bureau, Inc.  
29 W. Susquehanna Avenue, Suite 305, Towson, MD 21204-5201

People's Counsel of Baltimore County  
Rm. 304, County Office Bldg., Towson, Md. 21204

Request Notification: P. David Fields, Director of Planning & Zoning  
Patrick Keller, Office of Planning & Zoning  
J. Robert Haines, Zoning Commissioner  
Ann M. Nastarowicz, Deputy Zoning Commissioner  
James E. Dyer, Zoning Supervisor  
W. Carl Richards, Jr., Zoning Coordinator  
Docket Clerk  
Arnold Jablon, County Attorney

LEGAL AID BUREAU, INCORPORATED  
BALTIMORE COUNTY OFFICE  
28 WEST SUSQUEHANNA AVENUE  
SUITE 305  
TOWSON, MARYLAND 21204-5201  
(301) 298-6705

JAMES J. NOLAN, JR., PRESIDENT

April 16, 1990

Baltimore County Board of Appeals  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

Re: Appeal to Board of Appeals regarding 301 W. Chesapeake Ave.  
Case No. 90-329-SPHX #212

Dear Sir or Madam:

On behalf of clients of the Legal Aid Bureau, Inc., Paul Jedlicka, Gary Sparks, Glenn Wilson and other homeless male residents of the Baltimore County Men's Shelter located at 301 W. Chesapeake Ave., we hereby note an appeal to the Board of Appeals from the decision of Zoning Commissioner Haynes dated April 16, 1990.

Enclosed is a check in the amount of \$200.00.

Very truly yours,

John C. Eidleman  
Mary Helen McNeal

Mary Helen McNeal  
Attorneys for Paul Jedlicka, Gary Sparks, Glenn Wilson and other homeless male residents of the Baltimore County Men's Shelter

LEGAL AID BUREAU, INC.  
BALTIMORE COUNTY  
MARY HELEN MCNEAL  
STAFF ATTORNEY  
28 WEST SUSQUEHANNA AVENUE  
SUITE 305  
TOWSON, MD 21204  
(301) 298-6705











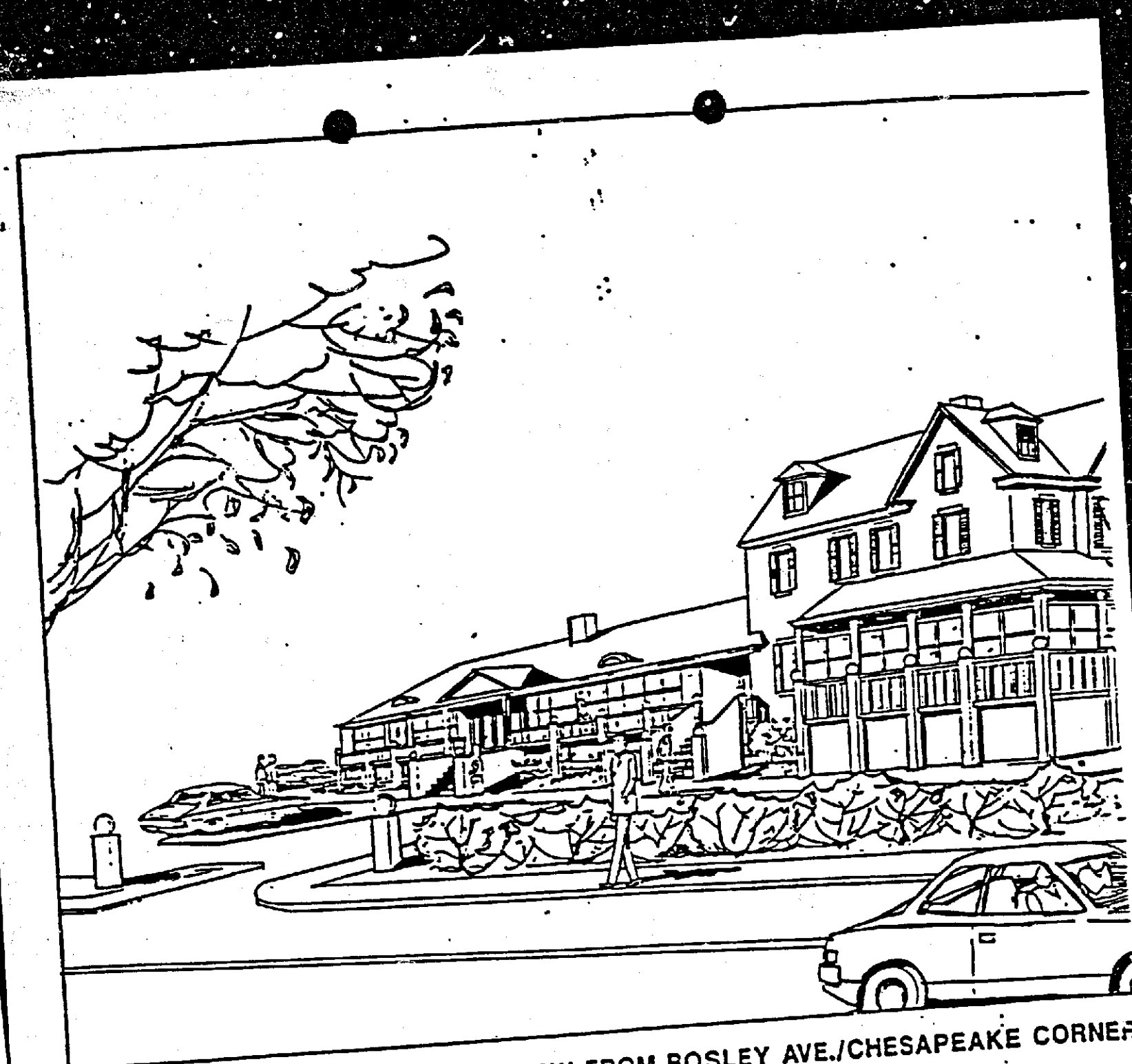
**BOOZER & BRENNAN**  
REAL ESTATE SERVICES  
COMMERCIAL • INDUSTRIAL • RESIDENTIAL

**DATA SHEET - PROPERTY FOR LEASE**

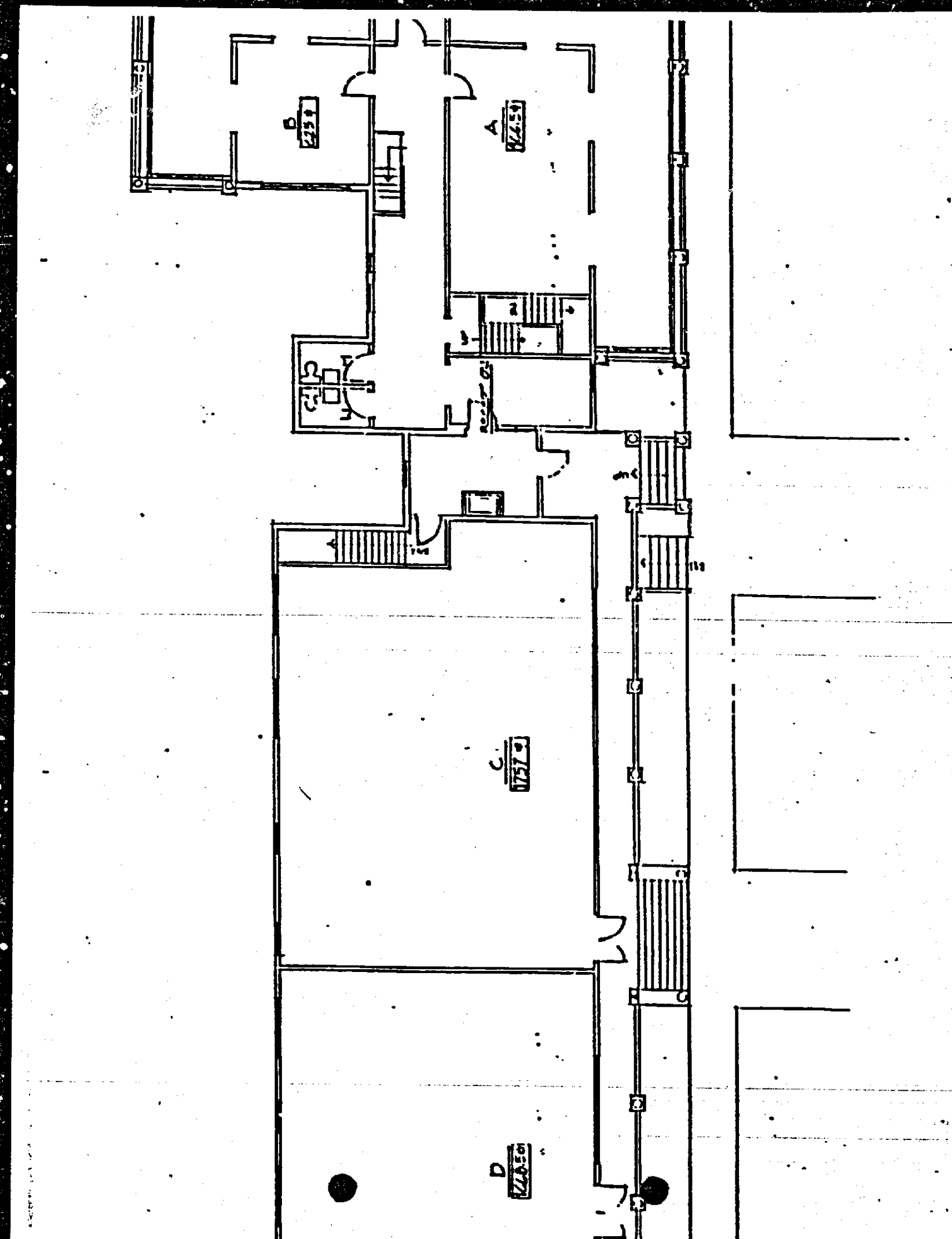
ADDRESS: 301 WEST CHESAPEAKE AVE., TOWSON, MD.  
LOCATION: SOUTH-WEST CORNER OF BOSLEY & CHESAPEAKE  
LOT SIZE: 0.9 ACRES  
BUILDING: 5,500 sq.-ft. MULTI-LEVEL  
ZONING: R-O  
RENOVATIONS: TOTAL RENOVATION (INC. ALL SYSTEMS)  
INCREASES USABLE SPACE TO 7,000 (+/-)  
PARKING: 25 - 35 SPACES  
RATE: 15.00 PER FT. (fully renovated) \*\*  
TERM: 5 - 10 YEAR  
COSTS: NET  
\*\* (NEGOTIABLE RATE FOR AS - IS)  
POSSESSION: NEGOTIABLE  
CONTACT: CHRISTOPHER L. BOOZER (301) 321-6611

The information contained herein has been obtained from reliable sources. However, it is subject to errors, omissions and recent changes. The Listing Broker does not guarantee its accuracy.

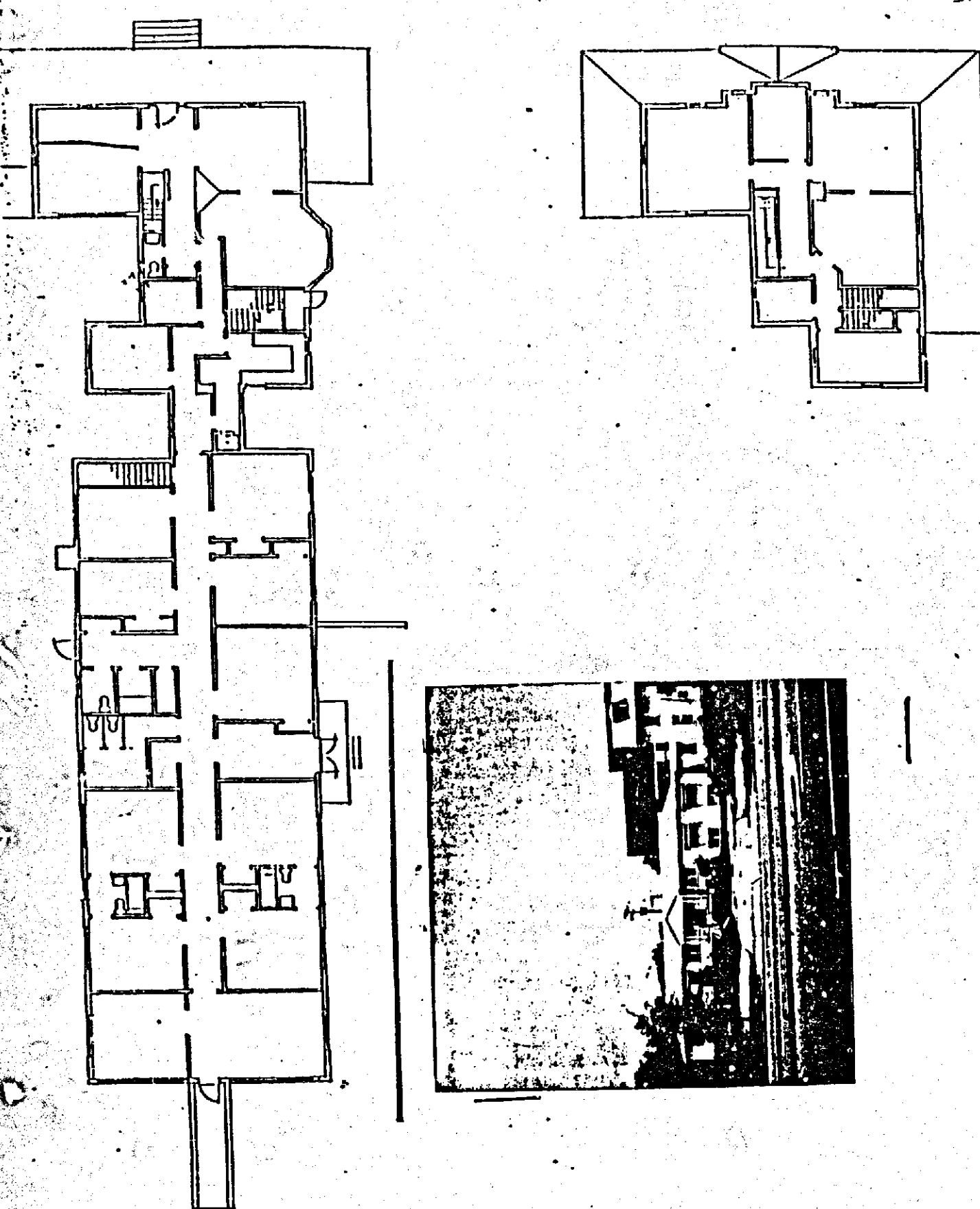
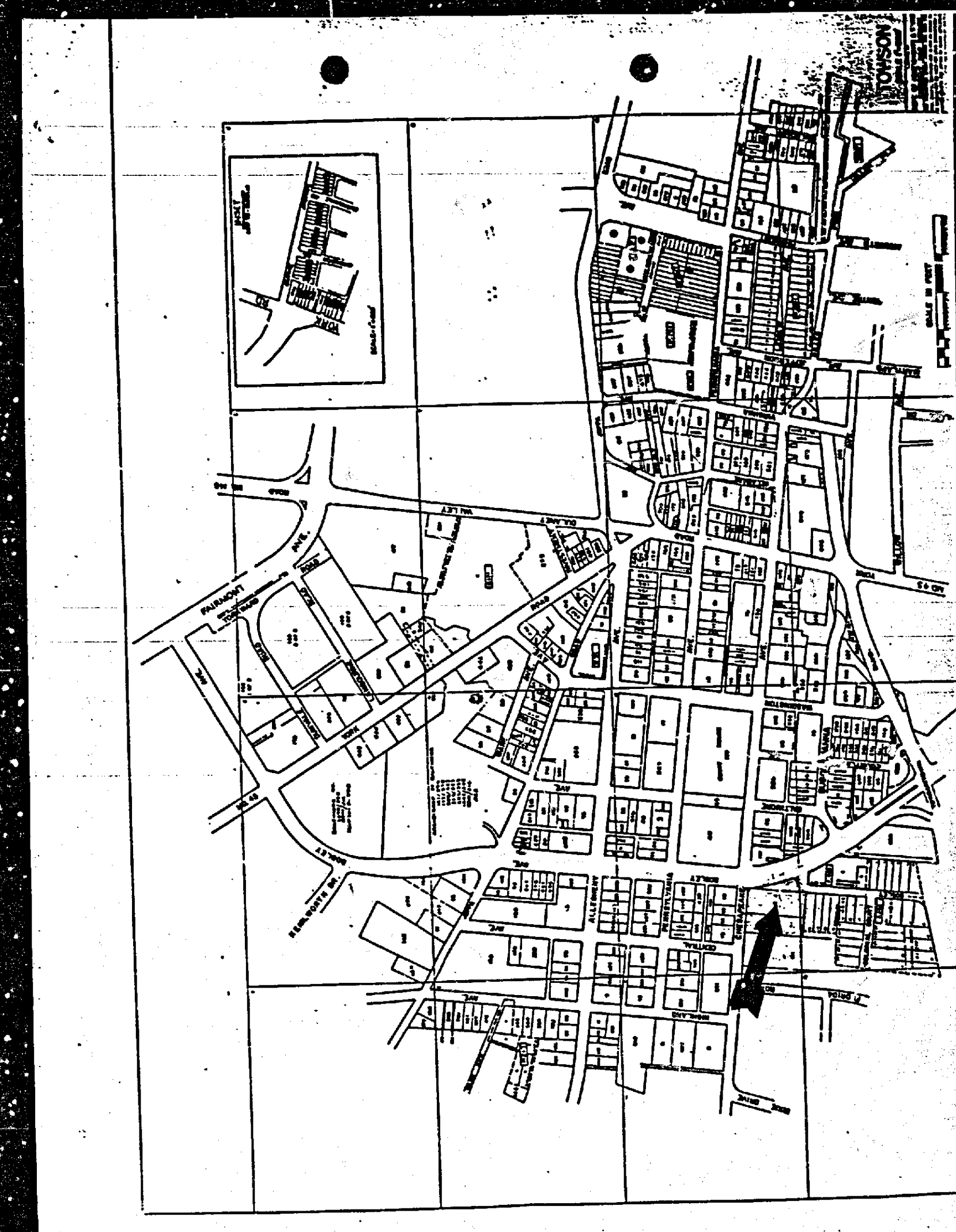
608 Baltimore Avenue • Towson, Maryland 21204 • (301) 321-6611  
Sales • Leasing • Investment



301 CHESAPEAKE - VIEW FROM BOSLEY AVE./CHESAPEAKE CORNER



FIRST FLOOR PLAN

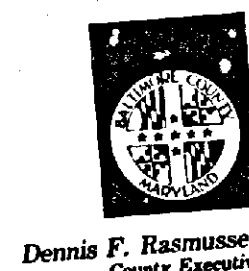


EXISTING FIRST AND SECOND FLOOR PLAN

Baltimore County  
Department of Community Development  
One Investment Place, Suite 800  
Towson, Maryland 21204  
(301) 887-3317

Leslie M. Pittler  
Director  
December 7, 1989

**RECEIVED**  
DEC 8 1989  
**ZONING OFFICE**



Mr. J. Robert Haines  
Zoning Commissioner  
111 W. Chesapeake Avenue  
Room 109  
Towson, Maryland 21204

Dear Commissioner Haines:

Homelessness of Baltimore County's citizens is a complex and growing issue which the County government is striving to address. The County's strong commitment to assist its homeless citizens is expressed in County Executive Dennis F. Rasmussen's "Closest to the People" document wherein he states his intent to provide emergency shelter for the County's homeless families. The County currently supports three shelter facilities for homeless families. Last year the County funded and directed the establishment of a temporary emergency men's shelter which operated from January 20, 1989 to April 7, 1989, and which provided 62 individual men with safe shelter, food, and the opportunity for linkage to supportive services. To again this year address the needs of its homeless men during the upcoming period of extreme weather, Baltimore County has initiated a project to establish and operate a temporary emergency shelter.

The County identified and reviewed several sites as possible locations for the shelter, and has selected the site of the former Towson Convalescent Center which is located at 301 W. Chesapeake Avenue. It is located close to Center which will provide the supportive operational services those County agencies which will provide the shelter site requirements. The Office of Central Services will maintain the heating, electrical, plumbing, modifications to the site to ensure it meets the shelter site requirements. Further, Central Services will maintain the period of shelter operation and air conditioning systems throughout the period of shelter operation. Center will provide laundry services throughout the period of shelter operation. The site is located close to various County agencies who would act as referral sources for homeless men: the Department of Social Services; the Health Department; the Housing Office; and, the Police Department. Finally, the site is located near Baltimore County government's essential services which would support this homeless population: the Department of Social Services for case management, financial assistance, and Food Stamps; the Housing Office for affordable housing resources; the Office of Employment and Training for job training resources; and, the Department of Health. Funded by Baltimore County, the shelter would be managed and operated by Citizens Assistance Network (CAN).

Mr. J. Robert Haines, Zoning Commissioner cont'd.  
December 7, 1989

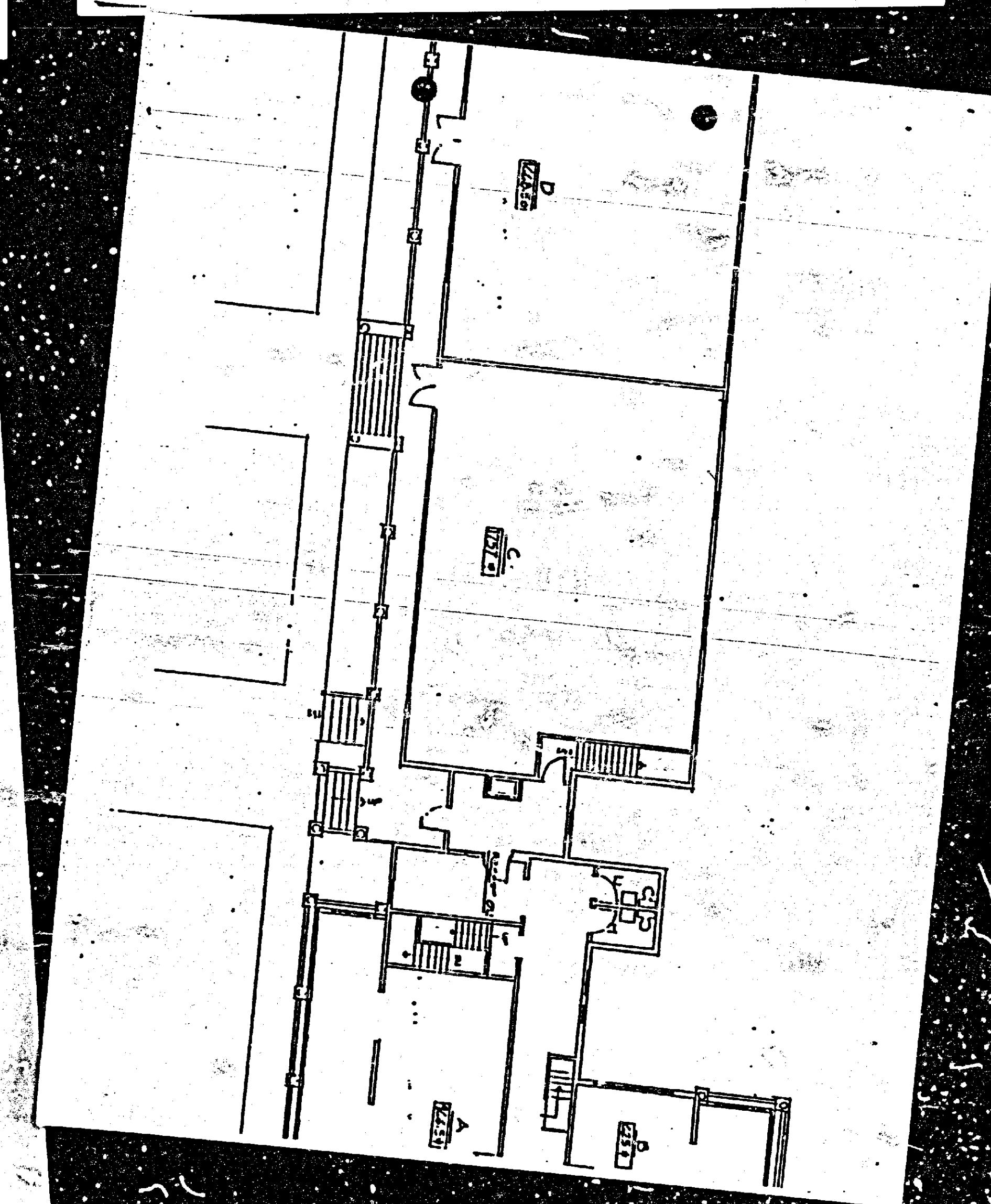
Recent conversation with your staff indicates this property at 301 W. Chesapeake Avenue, however, will probably require a special exception determination in order to be used as the proposed temporary emergency shelter for homeless men. I will appreciate your review of this situation. Baltimore County is dedicated to addressing the emergency needs of the homeless, and, as noted above, this site would facilitate our efforts to help a segment of that homeless population, single men, for whom there is no other such assistance. With the extremes of winter weather approaching, we are hopeful to be able to make this temporary emergency shelter a reality by mid December.

Again, I appreciate your review of this situation. If you have any questions, please call me at 887-3317.

Sincerely,

*Leslie M. Pittler*  
LESLIE M. PITTLER  
Director

LMP:wlv





DEC 07 '89 15:21 S

P.1

Baltimore County  
Office of Central Services  
County Office Building, Suite 412  
Towson, Maryland 21204  
(301) 887-2230

Timothy T. Harrison, Sr. CPA  
Director

December 7, 1989



Dennis F. Rasmussen  
County Executive

Ms. Maryland C. Gore  
11 Collingwood Road  
Phoenix, Maryland 21131

RE: 301 W. Chesapeake Avenue

Dear Ms. Gore:

Please be advised that the Baltimore County Government, during the term of the Agreement of Lease (12/13/89 to 4/30/90) between you and Community Assistance Network, shall be responsible for the maintenance of the HVAC system in the southeast corner of the improvements and for the sprinkler premises, and of the hot water heating system and for the sprinkler units in the north or old portion of the improvements and for the maintenance and system throughout the improvements with respect to the maintenance and repair of the same during the term of this Lease. Provided, however, that in the event that the cost of repair to any one of the systems or units shall exceed \$400, the excess over \$400 shall be paid by the landlord unless the necessary repair shall have been occasioned by the negligence or want of care of the tenant, its agents, servants, employees, clients, invitees or residents.

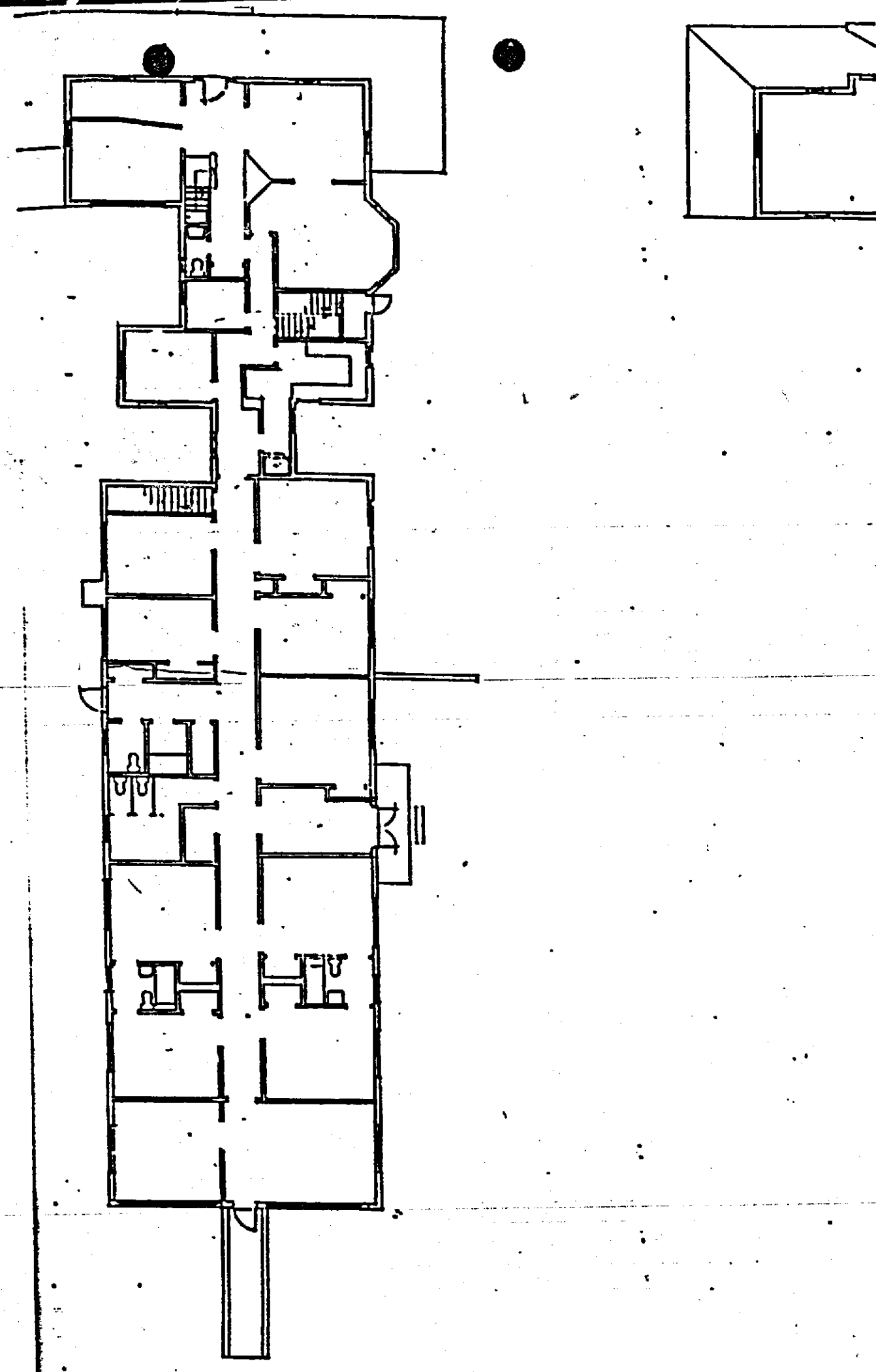
Should you have any questions or concerns regarding the above, please do not hesitate to contact me on 887-2232.

Sincerely,

F. Douglas Johnson  
Deputy Director for  
Facilities Management

FDJ161dth

cc: Leslie M. Pittler  
Key F. Bunley  
J. Robert Haines  
Lois Cramer  
Booster & Brennan  
Woody Counts



Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3333  
J. Robert Haines  
Zoning Commissioner

February 2, 1990



Dennis F. Rasmussen  
County Executive

Robert E. Baker, Esquire  
Suite 100, 21 W. Susquehanna Avenue  
Towson, MD 21204

RE: Item No. 212, Case No. 90-329-SPHX  
Petitioner: Maryland C. Gore  
Petition for Special Hearing

Dear Mr. Baker:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WHITASKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Maryland C. Gore  
Box 9692  
Baldwin, MD 21013

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3333  
J. Robert Haines  
Zoning Commissioner



Dennis F. Rasmussen  
County Executive

Your petition has been received and accepted for filing this 10th day of January, 1990.

J. Robert Haines  
Zoning Commissioner

Received By:

Chairman  
Zoning Plans Advisory Committee

Petitioner: Maryland C. Gore

Petitioner's Attorney: Robert E. Baker

Baltimore County  
Department of Public Works  
Bureau of Traffic Engineering  
County Office Building, Suite 405  
Towson, Maryland 21204  
(301) 887-3554

January 11, 1990



Dennis F. Rasmussen  
County Executive

J. Robert Haines  
Zoning Commissioner  
County Office Building  
Towson, MD 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 188, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 210 and 212.

Very truly yours,

Michael S. Flanagan  
Traffic Engineer Assoc. II

NSF/lab

RECEIVED  
JAN 13 1990

TRAFFIC OFFICE

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL  
PROTECTION AND RESOURCE MANAGEMENT

JAN 12 1990

Date

Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Zoning Item # 212, Zoning Advisory Committee Meeting of January 9, 1990

Property Owner: Maryland C. Gore

Location: 301 West Chesapeake Ave.

District: 9

Water Supply: metro

Sewage Disposal: metro

COMMENTS ARE AS FOLLOWS:

- (X) Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval.
- ( ) Prior to new installation(s) of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 887-3775, to obtain requirements for such installation(s) before work begins.
- ( ) A permit to construct from the Bureau of Quality Management is required for such items as spray paint processes, underground gasoline storage tank(s) (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- ( ) A permit to construct from the Bureau of Air Quality Management is required for any charcoal generation which has a total cooking surface area of five (5) square feet or more.
- (X) Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- ( ) Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other amusements pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Water Quality Monitoring Section, Bureau of Regional Community Services, 687-6500 x 315.
- (X) Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- ( ) If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with the State Department of the Environment.
- ( ) Prior to razing of existing structure(s), petitioner must contact the Division of Waste Management at 887-3745, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 887-3775.
- ( ) Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 887-3745.
- ( ) Soil percolation tests, have been \_\_\_\_\_, must be \_\_\_\_\_, conducted.  
( ) The results are valid until \_\_\_\_\_  
( ) Soil percolation test results have expired. Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required.
- ( ) Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- ( ) In accordance with Section 13-117 of the Baltimore County Code, the water well yield test  
( ) shall be valid until \_\_\_\_\_  
( ) is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- ( ) Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- ( ) If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted. For more information contact the Division of Environmental Management at 887-3980.
- ( ) In order to subdivide this property, the owner or developer will be required to comply with the subdivision regulations of the State of Maryland and Baltimore County. If there are any questions regarding the subdivision process, please contact the Land Development Section at 887-2762.
- ( ) Others \_\_\_\_\_

W. S. Flanagan  
BUREAU OF WATER QUALITY AND RESOURCE  
MANAGEMENT

Baltimore County  
Fire Department  
700 East Joppa Road, Suite 901  
Towson, Maryland 21204-5500  
(301) 887-4500  
Paul H. Reincke  
Chief

JANUARY 11, 1990



Dennis F. Rasmussen  
County Executive

J. Robert Haines  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204

RE: Property Owner: MARYLAND C. GORE

Location: #301 WEST CHESAPEAKE AVENUE

Item No.: 212 Zoning Agenda: JANUARY 9, 1990

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: C. J. G. 1/11/90 Noted and Approved  
Planning Group Fire Prevention Bureau  
Special Inspection Division

JK/KEK

BALTIMORE COUNTY, MARYLAND  
INTEROFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: January 19, 1990

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting  
for January 9, 1990

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for items 188, 199, 200, 201, 202, 204, 207, 208, 210 and 212.

For items 203, 205, and 206 the County Review Group Comments for each item still apply.

Robert W. Bowling, P.E., Chief  
Developers Engineering Division

RWB:s



ROBERT E. BAKER  
ATTORNEY AT LAW  
SUITE 100  
31 WEST SUSQUEHANNA AVENUE  
TOWSON, MARYLAND 21204

TELEPHONE  
(800) 981-1748

August 14, 1990

Baltimore County Board of Appeals  
County Office Building, Room 315  
Towson, Maryland 21204

Re: Petition for Special Hearing and Special Exception  
301 W. Chesapeake Avenue  
9th Election District, 4th Councilmanic District  
Maryland C. Gore - Petitioner  
Case No. 90-329-SPHX

Dear Board:

The undersigned is attorney for Maryland C. Gore, original petitioner before the Zoning Commissioner of Baltimore County in the above captioned case. By Order of the Zoning Commissioner, the above captioned case, the Petition in that case was DISMISSED passed on April 16, 1990, the Petition in that case was DISMISSED without prejudice. This was in accord with the wishes of my client, as Petitioner.

It has come to my attention that an appeal has been filed from the Order of the Zoning Commissioner by attorneys of the Legal Aid Bureau, Inc., purporting to act on behalf of former residents of the property who are characterized as homeless persons. Please be advised that such persons, or their attorneys, have no authority to act on behalf of my client, either express or implied, and any such authority is specifically denied. Please be advised that at this time my client has no intention, present or future, to use the above captioned property as a shelter for homeless persons or for any like or similar use. Neither does my client have any desire at this time that the special exception captioned above be granted, and, in fact, opposes the granting of the same.

It is my view, and I have so advised my client, that those persons who have appealed the Order of the Zoning Commissioner have no standing to do so.

RECEIVED  
BALTIMORE COUNTY BOARD OF APPEALS  
JAN 15 1991

LEGAL AID BUREAU, INCORPORATED  
BALTIMORE COUNTY OFFICE  
29 WEST SUSQUEHANNA AVENUE  
SUITE 305  
TOWSON, MARYLAND 21204-5201  
(301) 286-8705

JOHN C. EIDLEMAN  
LUTHER B. JOHNSON  
MARY HELEN MCNEAL  
PATRICK D. WILSON  
R. SCOTT MORELL

JAMES J. HOUAN, JR., PRESIDENT

April 16, 1990

Baltimore County Board of Appeals  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

Re: Appeal to Board of Appeals regarding 301 W. Chesapeake Ave.  
Case No. 90-329-SPHX #212

Dear Sir or Madam:

On behalf of clients of the Legal Aid Bureau, Inc., Paul Jedlicka, Gary Sparks, Glenn Wilson and other homeless male residents of the Baltimore County Men's Shelter located at 301 W. Chesapeake Ave., we hereby note an appeal to the Board of Appeals from the decision of Zoning Commissioner Haynes dated April 16, 1990.

Enclosed is a check in the amount of \$200.00.

Very truly yours,

John C. Eidleman

Mary Helen McNeal  
Attorneys for Paul Jedlicka, Gary Sparks, Glenn Wilson and other homeless male residents of the Baltimore County Men's Shelter

Baltimore County Board of Appeals  
August 14, 1990  
Page Two

This letter is written because of the nature of the Appeal taken, and the persons by whom it was taken, in order to clarify the position of the original Petition in this case and for no other purpose. It is not intended to constitute the entry of an appearance by the Petitioner or by the undersigned on her behalf as to any further proceedings before the Board.

Very Truly Yours,

Robert E. Baker  
Attorney for Maryland C. Gore

REB:jlh

cc: Mrs. Maryland C. Gore

DEC 07 '89 15:21 S

Baltimore County  
Office of Central Services  
County Courthouse, Suite 412  
Towson, Maryland 21204  
(301) 887-2220

Timothy T. Harrison, Sr., CPA  
Director

December 7, 1989



Ms. Maryland C. Gore  
11 Collingwood Road  
Phoenix, Maryland 21131

Re: 301 W. Chesapeake Avenue

Dear Ms. Gore:

Please be advised that the Baltimore County Government, during the term of the Agreement of Lease (12/15/89 to 4/30/90) between you and Community Assistance Network, shall be responsible for the maintenance of the HVAC System in the southernmost or new portion of the improvements on the premises, and of the hot water heating system and window air conditioning units in the north or old portion of the improvements and for the sprinkler system throughout the improvements with respect to the maintenance and repair of the same during the term of this Lease. Provided, however, that in the event that the cost of repair to any one of the systems or units shall exceed \$400, the excess over \$400 shall be paid by the Landlord unless the necessary repair shall have been occasioned by the negligence or want of care of the Tenant, its agents, servants, employees, clients, invitees or residents.

If you have any questions or concerns regarding the above, please do not hesitate to contact me on 887-2222.

Sincerely,

F. Douglas Johnson  
Deputy Director for  
Facilities Management

FDJ16:dfh

cc: Leslie M. Pittler  
Kay F. Runley  
J. Robert Haines  
Lois Cruser  
Booser & Branan  
Woody Counts

Mr. J. Robert Haines  
Zoning Commissioner  
111 W. Chesapeake Avenue  
Room 109  
Towson, MD 21204

Re: 301 W. Chesapeake Avenue  
Petition for Special Exception

Dear Mr. Haines:

Enclosed find Petition and letters of opposition to any zoning changes or variances with regard to the referenced property. We are the neighbors immediately next to the Men's Homeless Shelter and, therefore, experience the consequences of such a use of the property. Since the Shelter has been in operation we have experienced an increase in transient individuals walking through our neighborhood, an accumulation of trash and bottles, breaking and entering, as well as panhandling. This is not the environment we selected for our families when we chose Towson for our home.

Certainly your office will agree that our neighborhood has felt the blunt of the Government's desire to place a disproportionate share of its various "institutions" in our immediate area.

Respectfully submitted,

PETITIONERS

enc.  
cc: Ms. Sue Schenning  
Barbara Bachur, Esquire  
Baltimore County Council  
Timothy Fagan, Administrative Officer,  
Baltimore County

HAND DELIVERED

8/24/90 - Following parties notified of hearing set for September 12, 1990 at 10:00 a.m.:

Maryland C. Gore  
Robert E. Baker, Esquire  
Linda Dorsey Walker  
John C. Eidleman, Esquire  
Mary Helen McNeal, Esquire  
People's Counsel for Baltimore County  
P. David Fields  
Pat Kellner  
J. Robert Haines  
Ann M. Nastarowicz  
James E. Dyer  
W. Carl Richards, Jr.  
Docket Clerk - Zoning  
Arnold Jablon, County Attorney

## Shelter zoning battle could become moot

By Larry Carson  
Evening Sun Staff

A temporary shelter for homeless men operating in Towson has become the subject of a zoning dispute that will not be decided until long after the shelter is to close next month.

The ultimate decision, however, may set a precedent in Baltimore County for how such facilities are operated in the future.

A hearing on the shelter, in a former nursing home at 301 W. Chesapeake Ave., may also become a forum for neighborhood complaints about the homeless men who use the shelter. The hearing is scheduled for 9:30 a.m. tomorrow before zoning commissioner J. Robert Haines.

Even if the zoning commissioner denies a request for a special exception from zoning laws and disallows the shelter, the shelter's appeal would likely stretch beyond April 13, when the temporarily winter operation is scheduled to conclude anyway.

However, a denial by the zoning officer could make it more difficult for a private, non-profit group to run a similar shelter next winter. It could also force county government to get in the business of running a shelter because the county wouldn't be subjected to meeting local zoning laws.

Baltimore County has found a way to apply county zoning laws to a private, non-profit group to run a shelter for homeless single men. In the interim, a temporary winter shelter was opened last year in a county-owned building in Towson.

The Citizens Assistance Network, a private, non-profit anti-poverty group, operated it this year, with county government financial support, in a former nursing home at West Chesapeake and Bosley avenues.

County officials have said a permanent shelter is to be built six blocks north of there, at Kenilworth and Bosley avenues, behind the current police headquarters.

Kay Runley, director of the Citizens Assistance Network, said yesterday that about 18 men stay at the shelter most nights, though the number swelled to 27 this past frigid weekend.

However, the legal status of the shelter is unclear because of a 1989 Court of Appeals decision. The court ruled that private groups doing government work are not immune from local zoning laws. But county zoning codes don't provide for a privately-run shelter for more than 13 people. That would appear to leave the Towson shelter in violation, even if a special zoning exception were granted.

Until that court ruling, Haines said, county zoning officials routinely believed that groups doing government work were exempt from zoning.

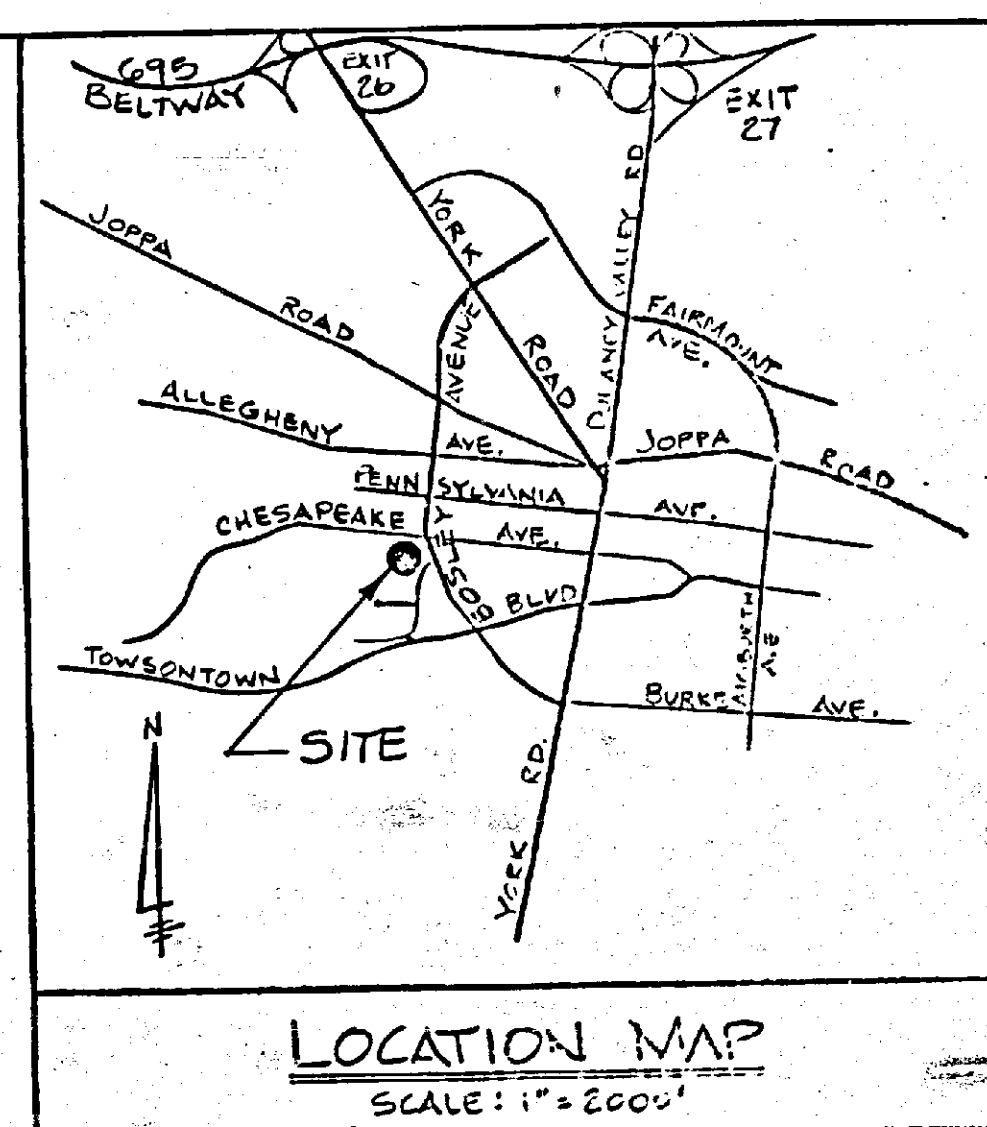
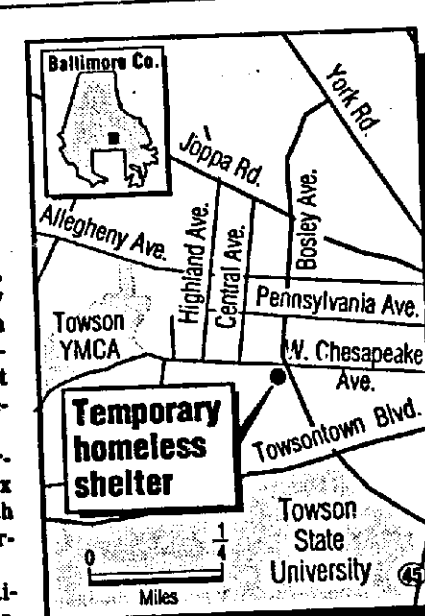
Haines' problem was finding a way to apply county zoning laws to a private, non-profit group to run a shelter for homeless single men. In the interim, a temporary winter shelter was opened last year in a county-owned building in Towson.

Meanwhile, some neighbors of the shelter have complained they have not been kept informed, that homeless men are too evident in the neighborhood, and that a new special exception could mean some new county use for the property after the shelter closes.

The chief complainant is Richard J. Reinhardt, a lawyer and real estate agent whose offices at 220 Bosley Ave. sit just a few feet south of the building used for the shelter. Reinhardt complains that men using the shelter come to his building to panhandle and sometimes roam the area while the shelter is closed during the day.

Frank Ubersax, president of the West Towson Neighborhood Association, said his group opposes the shelter, though the neighbors want the shelter located outside Towson.

David R. Cox, vice president of the Southland Hills Improvement Association, said his group opposes all but residential uses west of Bosley Avenue as part of its efforts to discourage commercial uses in residential West Towson.



COURTHOUSE  
COMMONS

### GENERAL NOTES:

1. AREA OF PROPERTY - 0.85 AC. (37,026 sq. ft.)
2. EXISTING ZONING OF PROPERTY - R.O
3. EXISTING USE OF PROPERTY - CONVALESCENT HOME

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353

J. Robert Haines  
Zoning Commissioner

May 16, 1990

Baltimore County Board of Appeals  
County Office Building, Room 315  
Towson, Maryland 21204

Re: Petition for Special Hearing and Special Exception  
301 W. Chesapeake Avenue  
9th Election District, 4th Councilmanic District  
MARYLAND C. GORE - Petitioner  
Case No. 90-329-SPHX

Dear Board:

Please be advised that an appeal of the above-referenced case was filed in this office on April 16, 1990 by John C. Eidleman Attorneys for residents of the Baltimore County Men's Shelter. All materials relative to the case are being forwarded herewith.

Please notify all parties to the case of the date and time of the appeal hearing when it has been scheduled. If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

J. Robert Haines  
J. ROBERT HAINES  
Zoning Commissioner

JRH:ccr

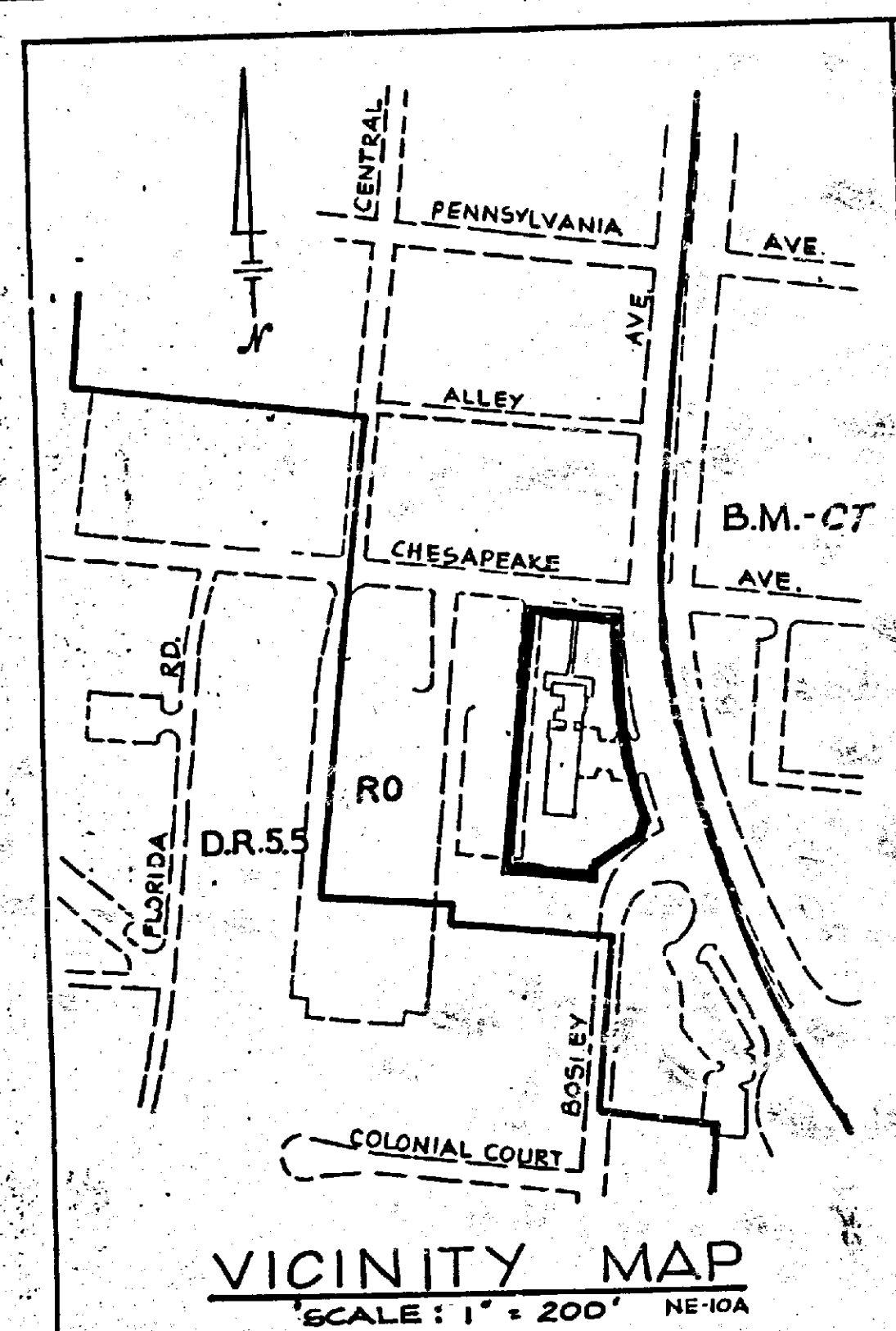
Enclosures

cc: Maryland C. Gore, Box 9692, Baldwin, MD 21013  
Robert E. Baker, Esquire  
Suite 100, 21 W. Susquehanna Avenue, Towson, MD 21204

Linda Dorsey Walker  
1 Investment Place, Suite 800, Towson, MD 21204  
John C. Eidleman  
Mary Helen McNeal  
Legal Aid Bureau, Inc.  
29 W. Susquehanna Avenue, Suite 305, Towson, MD 21204-5201

People's Counsel of Baltimore County  
Rm. 304, County Office Bldg., Towson, Md. 21204

RECEIVED  
COUNTY BOARD OF APPEALS  
30 MAY 17 PM 3 16



212  
90-329-SPHX

JOHN W. WELLS  
LIBER 6408/1501







Baltimore County Zoning Commissioner  
Mr. J. Robert Haines  
Baltimore County Office Building  
111 W. Chesapeake Avenue  
Room 109  
Towson, MD 21204

Re: Zoning Variance - Home for the Homeless

Dear Commissioner Haines:

Please be advised that I have been made aware of a Petition for Variance for property located on Bosley and Chesapeake Avenues which is adjacent to my neighborhood. I, the undersigned, would strongly object to any variance.

Very truly yours,

*Colleen Blane*

Baltimore County Zoning Commissioner  
Mr. J. Robert Haines  
Baltimore County Office Building  
111 W. Chesapeake Avenue  
Room 109  
Towson, MD 21204

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Very truly yours,

*Arabella Spier  
Russell Spier*

Baltimore County Zoning Commissioner  
Mr. J. Robert Haines  
Baltimore County Office Building  
111 W. Chesapeake Avenue  
Room 109  
Towson, MD 21204

Re: Zoning Variance - Home for the Homeless

Dear Commissioner Haines:

Please be advised that I have been made aware of a Petition for Variance for property located on Bosley and Chesapeake Avenues which is adjacent to my neighborhood. I, the undersigned, would strongly object to any variance.

Very truly yours,

*Arabella Spier*

Baltimore County  
Department of Community Development  
One Investment Place, Suite 800  
Towson, Maryland 21204  
(301) 887-3317

Leslie M. Pittler  
Director

December 7, 1989

Mr. J. Robert Haines  
Zoning Commissioner  
111 W. Chesapeake Avenue  
Room 109  
Towson, Maryland 21204

Dear Commissioner Haines:

Homelessness of Baltimore County's citizens is a complex and growing issue which the County government is striving to address. The County's strong commitment to assist its homeless citizens is expressed in County Executive Dennis F. Rasmussen's "Closest to the People" document wherein he states his intent to provide emergency shelter for the County's homeless. While the County currently supports three shelter facilities for homeless families, there is no such shelter facility in the County specifically for homeless men. Last year the County funded and directed the establishment of a temporary emergency men's shelter which operated from January 20, 1989 to April 7, 1989, and which provided 62 individual men with safe shelter, food, and the opportunity for linkage to supportive services. To again this year address the needs of its homeless men during the upcoming period of extreme weather, Baltimore County has initiated a project to establish and operate a temporary emergency shelter.

The County identified and reviewed several sites as possible locations for the shelter, and has selected the site of the former Towson Convalescent Center which is located at 301 W. Chesapeake Avenue. Certainly, this site would foster the success of the shelter program. It is located close to those County agencies which will provide the supportive operational services for the shelter. The Office of Central Services will make all necessary modifications to the site to ensure it meets the shelter site requirements. Further, Central Services will maintain the heating, electrical, plumbing, and air conditioning systems for the site. The Baltimore County Detention Center will provide laundry services throughout the period of shelter operation. The site is located close to various County agencies who would act as referral sources for homeless men: the Department of Social Services; the Health Department; the Housing Office; and, the Police Department. Finally, the site is located near Baltimore County government's essential services which would support this homeless population: the Department of Social Services for case management, financial assistance, and Food Stamps; the Housing Office for affordable housing resources; the Office of Employment and Training for job training resources; and, the Department of Health. Funded by Baltimore County, the shelter would be managed and operated by Citizens Assistance Network (CAN).



Dennis F. Rasmussen  
County Executive

Mr. J. Robert Haines, Zoning Commissioner cont'd.  
December 7, 1989

Recent conversation with your staff indicates this property at 301 W. Chesapeake Avenue, however, will probably require a special exception determination in order to be used as the proposed temporary emergency shelter for homeless men. I will appreciate your review of this situation. Baltimore County is dedicated to addressing the emergency needs of the homeless, and, as noted above, this site would facilitate our efforts to help a segment of that homeless population, single men, for whom there is no other such assistance. With the extremes of winter weather approaching, we are hopeful to be able to make this temporary emergency shelter a reality by mid December.

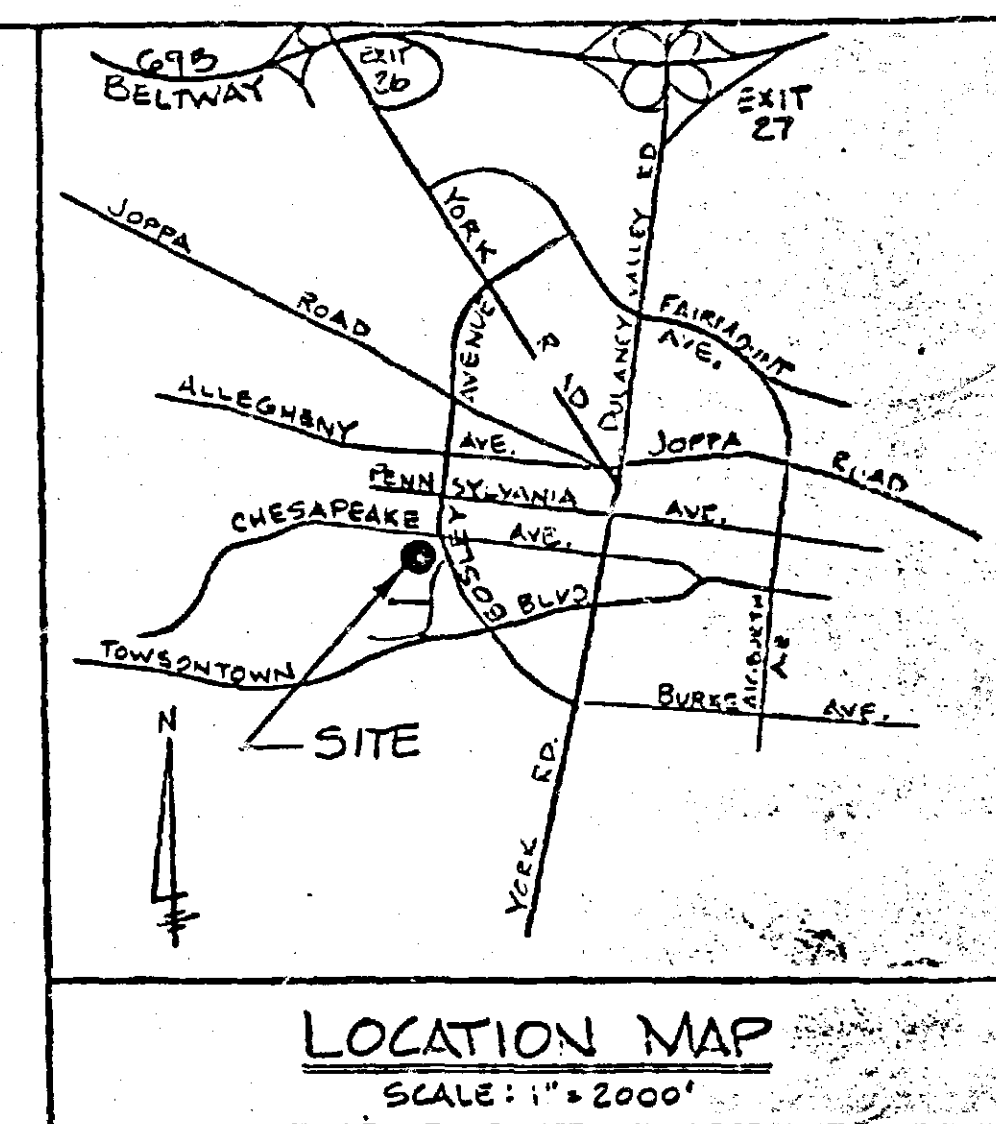
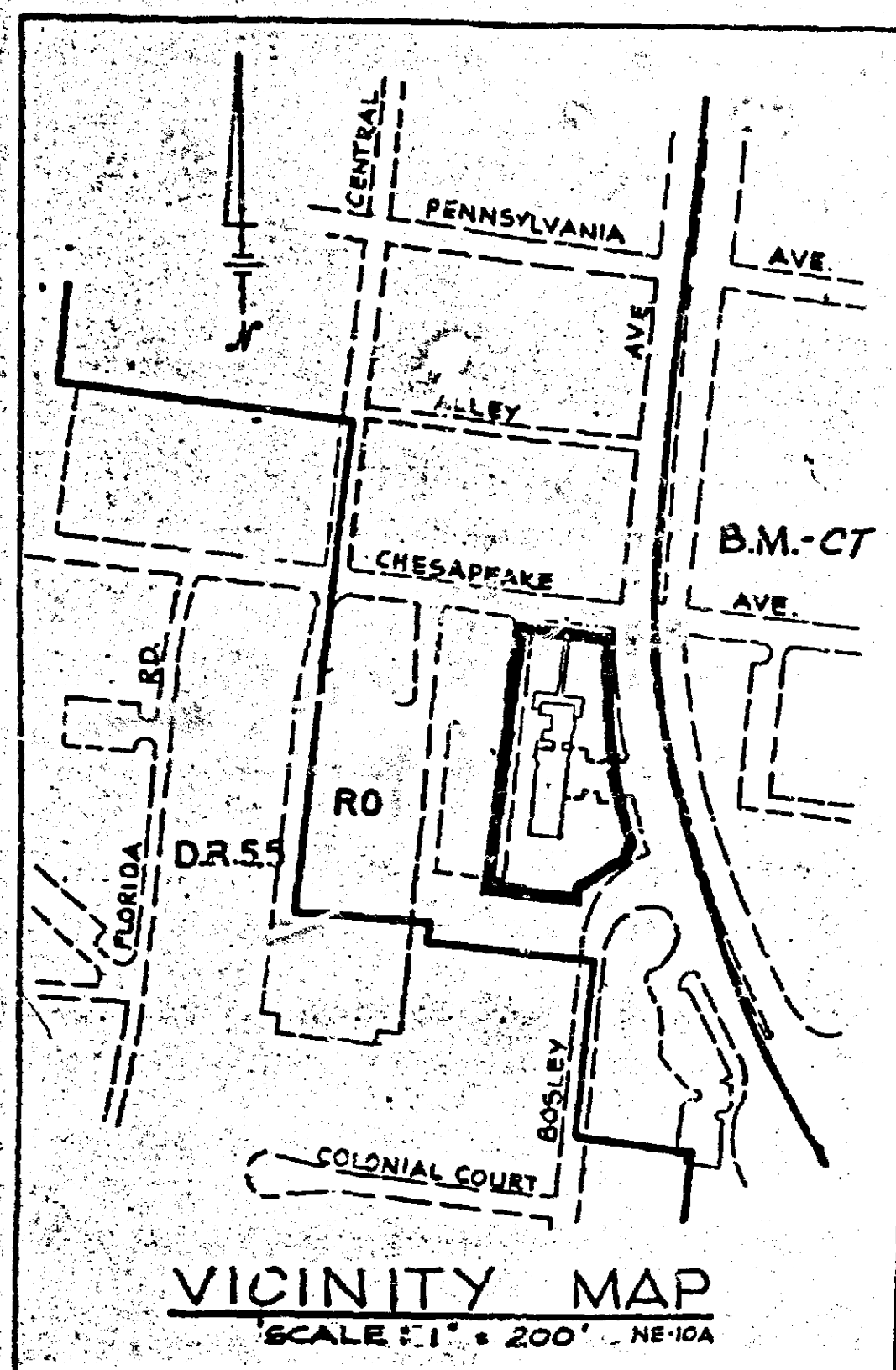
Again, I appreciate your review of this situation. If you have any questions, please call me at 887-3317.

Sincerely,

*Leslie M. Pittler*  
LESLIE M. PITTLER  
Director

IMP:wlw





BALTIMORE COUNTY MARYLAND  
COURT HOUSE  
LIBER 4795 / FOLIO 0488

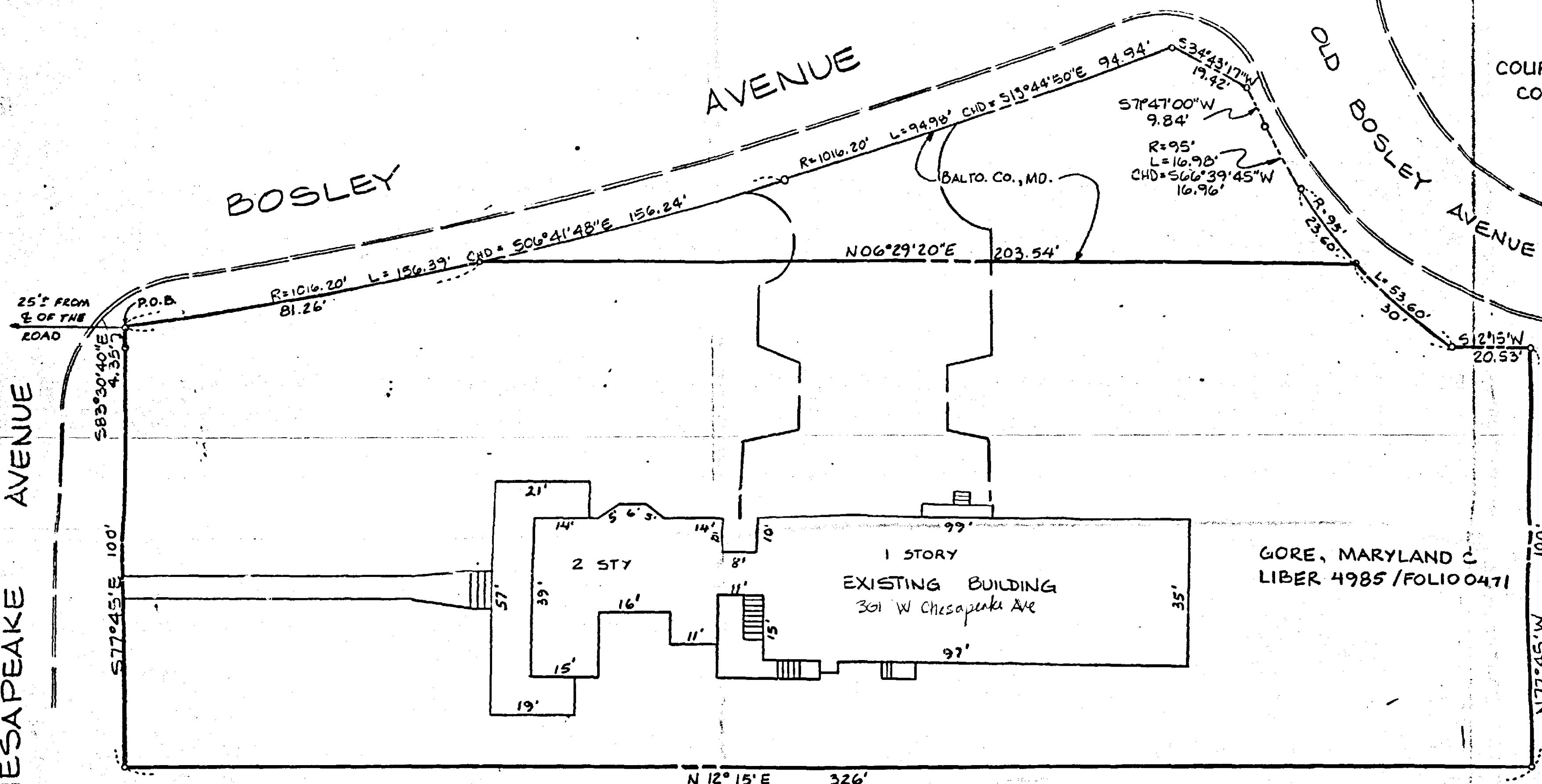
JOHN WESLEY BRAMBLE  
LIBER 6408 / FOLIO 0564

ROBERT DICICCO  
LIBER 7371 / FOLIO 0315

CHESAPEAKE AVENUE

BOSLEY AVENUE

COURTHOUSE COMMONS



SITE PLAN  
SCALE: 1" = 20'

BRYANT HOWARD  
LIBER 2137 / FOLIO 0034

#### GENERAL NOTES:

1. AREA OF PROPERTY = 0.85 AC. (37,026 sq ft)
2. EXISTING ZONING OF PROPERTY = R.O.
3. EXISTING USE OF PROPERTY = CONVALESCENT HOME
4. PROPOSED ZONING OF PROPERTY = R.O. w/ SPECIAL HEARING AND SPECIAL EXCEPTION
5. PROPOSED USE OF PROPERTY = COMMUNITY CARE CENTER.
6. NUMBER OF EMPLOYEES = 9
7. PRIOR CASE: 1125-S SPECIAL PERMIT FOR A CONVALESCENT HOME.
8. EXISTING PUBLIC UTILITIES S/W IN STREET RIGHT-OF-WAY.

90-329-SPHX  
212

PLAT TO ACCOMPANY  
PETITION FOR SPECIAL HEARING  
AND SPECIAL EXCEPTION

CITY OF BALTIMORE									
DIRECTOR DEPT. OF PUBLIC WORKS				CHIEF, WATER ENG. DIVISION BUR. OF WATER AND WASTEWATER					
DATE	RIGHT OF WAY	REF.	ROAD PERMIT AND GRADES	P. W. A. M.R. NO.	CONTRACT NO.	REVISED AS PER RECORD PRINT			
			PERMIT REQUESTED			J.O.	DRAFTSMAN	DATE	
			PERMIT NUMBER						
			GRADE ESTABLISHED						
			PROFILE NUMBER						
DESIGNED	BUREAU OF ENGINEERING		HIGHWAYS	STRUCTURES	STORM DRAINAGE	WATER	SEWER	FIELD ENGINEER	BUREAU OF ENGINEERING
DRAWN	ENGINEER	REVIEWED							APPROVED
CHECKED	DATE	LIC. NO.	DATE						APPROVED
									DIRECTOR

LEVEL BK.	KEY SHEET	SCALE	BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS BUREAU OF ENGINEERING	SHEET 1 OF 1
DETAIL BK.	POSITION SHEET	PLAN 1" = 20'	MARYLAND C. GORE PROPERTY- 301 W. CHESAPEAKE AVE.	SP-1
DATE	REVISION	BY	SUBDIVISION TOWNSON	FILE
			XL DISTRICT NO. 9-4	